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09/245,592	02/08/1999	JOHN C. ADDY	8321	5059

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LAW DEPARTMENT

EXAMINER

WASYLCHAK, STEVEN R

ART UNIT

PAPER NUMBER

2164

DATE MAILED: 01/03/2002

*Response due April 3, 2002.*

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.	09/245592	Applicant(s)	ADDY et al
Examiner	WASYLCHAK	Group Art Unit	2164

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

### Status

- Responsive to communication(s) filed on 2/08/99
- This action is FINAL.
- Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

### Disposition of Claims

- Claim(s) 1-17 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- Claim(s) \_\_\_\_\_ is/are allowed.
- Claim(s) 1-17 is/are rejected.
- Claim(s) \_\_\_\_\_ is/are objected to.
- Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

### Application Papers

- See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.
- The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- The specification is objected to by the Examiner.
- The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119 (a)-(d)

- Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- All  Some\*  None of the CERTIFIED copies of the priority documents have been received.
- received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
- received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

### Attachment(s)

- Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_  Interview Summary, PTO-413
- Notice of Reference(s) Cited, PTO-892  Notice of Informal Patent Application, PTO-152
- Notice of Draftsperson's Patent Drawing Review, PTO-948  Other \_\_\_\_\_

## Office Action Summary

**DETAILED ACTION**

1. In view of the appeal brief filed on 10/19/01, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

***Claim Rejections - 35 USC § 103***

2. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morrison (US 6,112,857).

As per claim 1,

A method of operating a retail system which includes

(i) a plurality of self-service checkout terminals, (ii)a first remote supervisor terminal, and (iii)a second remote supervisor terminal, / col 1, L 53-61; col 8, L 39-51; col 17, L 1-13; comprising the steps of:

(a) operating said first remote supervisor terminal such that said first remote supervisor terminal monitors operation of each of said plurality of self service checkout terminals during a first period of time; / col 9, L 10-35; col 9, L 45 to col 10, L 4; col 16,

L 37-67 col 17, L 1-13. The reference fails to teach the feature of monitoring by using particular patterns. Official notice is taken that this feature is old and well known in the retail and / or security art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of queing optimization of scanning coverage by multiplexing (mapping one to many).

(b) maintaining said second remote supervisor terminal in an idle mode of operation such that said second remote supervisor terminal does not monitor operation of any of said plurality of self-service checkout terminals during said first period of time; / col 9, L 10-35; col 9, L 45 to col 10, L 4; col 16, L 37-67. The reference fails to teach the feature of monitoring by using particular patterns. Official notice is taken that this feature is old and well known in the e-commerce art and / or retail art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of queing optimization of scanning coverage by multiplexing (mapping of one to many).

(c) operating said first remote supervisor terminal such that said first remote supervisor terminal monitors operation of a first group of said plurality of self-service checkout terminals during a second period of time; and / col 9, L 10-35; col 9, L 45 to col 10, L 4; col 16, L 37-67. The reference fails to teach the feature of monitoring by using particular patterns. Official notice is taken that this feature is old and well known in the retail art and / or security art. It would have been obvious to one of ordinary skill

in the art at the time of applicant's invention to implement this feature for the advantage of queing optimization of scanning coverage by multiplexing (mapping of one to many).

(d) operating said second remote supervisor terminal such that said second remote supervisor terminal monitors operation of a second group of said plurality of self-service checkout terminals during said second period of time, / col 9, L 10-35; col 9, L 45 to col 10, L 4; col 16, L 37-67; col 17, L 1-13. The reference fails to teach the feature of monitoring by using particular patterns. Official notice is taken that this feature is old and well known in the security art and / or retail art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of queing optimization of scanning coverage by multiplexing (mapping of one to many).

wherein said first group of said plurality of self-service checkout terminals is different from said second group of said plurality of self-service checkout terminals, / col 9, L 10-35; col 9, L 45 to col 10, L 4; col 16, L 37-67

wherein said first remote supervisor terminal is configured to enable a store employee located at said first remote supervisor terminal to communicate with customers respectively located at each of said first group of said plurality of self-service checkout terminals via audio, video, and data connection during step (c), and / col 9, L 10-35; col 9, L 45 to col 10, L 4; col 16, L 37-67

wherein said second remote supervisor terminal is configured to enable a store employee located at said second remote supervisor terminal to communicate with

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customers respectively located at each of said second group of said plurality of self-service checkout terminals via audio, video, and data connection during step (d). / col 1,L 53-61; col 9, L 10-35; col 9, L 45 to col 10, L 4; col 16, L 37-67

As per claim 2,

The method of claim 1, wherein said step of operating said first remote supervisor terminal such that said first remote supervisor terminal monitors operation of each of said plurality of self-service checkout terminals includes the step of operating said first remote supervisor terminal such that said first remote supervisor terminal monitors operation of each of said plurality of self-service checkout terminals so as to assist a plurality of customers respectively operating each of said plurality of self-service checkout terminals. / col 9, L 10-35; col 9, L 45 to col 10, L 4; col 16, L 37-67. The reference fails to teach the feature of monitoring by using particular patterns. Official notice is taken that this feature is old and well known in the retail art and / or security art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of queing optimization of scanning coverage by multiplexing (mapping of one to many).

As per claim 3,

The method of claim 1, wherein: said step of operating said first remote supervisor terminal such that said first remote supervisor terminal monitors operation of said first group of said plurality of self-service checkout terminals includes the step of operating said first remote supervisor terminal such that said first remote supervisor terminal monitors operation of said first group of said plurality of self-service checkout terminals

s o as to assist a first group of customers respectively operating each of said first group of self-service checkout terminals, and said step of operating said second remote supervisor terminal such that said second remote supervisor terminal monitors operation of said second group of said plurality of self-service checkout terminals includes the step of operating said second remote supervisor terminal such that said second remote supervisor terminal monitors operation of said second group of said plurality of self-service checkout terminals so as to assist a second group of customers respectively operating each of said second group of self-service checkout terminals. / col 9, L 10-35; col 9, L 45 to col 10, L 4; col 16, L 37-67. The reference fails to teach the feature of monitoring by using particular patterns. Official notice is taken that this feature is old and well known in the retail art and / or security art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of queing optimization of scanning coverage by multiplexing (mapping of one to many).

As per claim 4,

The method of claim 1, wherein said step of operating said first remote supervisor terminal such that said first remote supervisor terminal monitors operation of each of said plurality of self-service checkout terminals includes the step of operating said first remote supervisor terminal so as to provide security to each of said plurality of self-service checkout terminals during said first period of time. / col 9, L 10-35; col 9, L 45 to col 10, L 4; col 16, L 37-67. The reference fails to teach the feature of monitoring by using particular patterns. Official notice is taken that this feature is old and well

known in the retail art and / or security art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of queing optimization of scanning coverage by multiplexing (mapping of one to many).

As per claim 5,

The method of claim 1, wherein: said step of operating said first remote supervisor terminal such that said first remote supervisor terminal monitors operation of said first group of said plurality of self-service checkout terminals includes the step of operating said first remote supervisor terminal so as to provide security to said first group of said plurality of self-service checkout terminals during said second period of time, and said step of operating said second remote supervisor terminal such that said second remote supervisor terminal monitors operation of said second group of said plurality of self-service checkout terminals includes the step of operating said second remote supervisor terminal so as to provide security to said second group of said plurality of self-service checkout terminals during said second period of time. / col 9, L 10-35; col 9, L 45 to col 10, L 4; col 16, L 37-67. The reference fails to teach the feature of monitoring by using particular patterns. Official notice is taken that this feature is old and well known in the retail art and / or security art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of queing optimization of scanning coverage by multiplexing (mapping of one to many).

As per claim 6,

The method of claim 1; wherein said retail system further includes a third remote supervisor terminal, further comprising the steps of: operating said first remote supervisor terminal such that said first remote supervisor terminal monitors operation of a third group of said plurality of selfservice checkout terminals during a third period of time; operating said second remote supervisor terminal such that said second remote supervisor terminal monitors operation of a fourth group of said plurality of self-service checkout terminals during said third period of time; and operating a third remote supervisor terminal such that said third remote supervisor terminal monitors operation of a fifth group of said plurality of selfservice checkout terminals during said third period of time, wherein each of said first group of self-service checkout terminals, said second group of self-service checkout terminals, said third group of self-service checkout terminals, said fourth group of self-service checkout terminals, and said fifth group of self-service checkout terminals is different from one another. / col 9, L 10-35; col 9, L 45 to col 10, L 4; col 16, L 37-67. The reference fails to teach the feature of monitoring by using particular patterns. Official notice is taken that this feature is old and well known in the retail art and / or security art. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement this feature for the advantage of queing optimization of scanning coverage by multiplexing (mapping of one to many).

As per claim 7,

A method of operating a retail system, comprising the steps of:

(a) operating a first remote supervisor terminal so as to monitor operation of a first group of self-service checkout terminals during a first period of time;

(b) operating a second remote supervisor terminal so as to monitor operation of a second group of self-service checkout terminals during said first period of time;

(c) operating said first remote supervisor terminal so as to monitor operation of said second group of self-service checkout terminals during a second period of time; and

(d) operating said second remote supervisor terminal so as to monitor operation of said first group of self-service checkout terminals during said second period of time,

wherein said first group of self-service checkout terminals is different from said second group of self-service checkout terminals,

wherein said first remote supervisor terminal is configured to enable a store employee located at said first remote supervisor terminal to communicate with customers respectively located at each of said first group of self-service checkout terminals via audio, video, and data connection during step (a),

wherein said second remote supervisor terminal is configured to enable a store employee located at said second remote supervisor terminal to communicate with customers respectively located at each of said second group of self-service checkout terminals via audio, video, and data connection during step (b),

wherein said first remote supervisor terminal is configured to enable a store employee locked at said first remote supervisor terminal to communicate with

customers respectively located at each of said second group of self-service checkout terminals via audio, video, and data connection during step (c)

wherein said second remote supervisor terminal is configured to enable a store employee located at said second remote supervisor terminal to communicate with customers respectively located at each of said first group of self-service checkout terminals via audio, video, and data connection during step (d). / entire claim: refer to reasoning under claim 1

As per claim 8,

The method of claim 7, wherein: said step of operating said first supervisor terminal so as to monitor operation of said first group of self-service checkout terminals includes the step of operating said first supervisor terminal so as to assist a first group of customers respectively operating said first group of self-service checkout terminals during said first period of time, and said step of operating said second supervisor terminal so as to monitor operation of said second group of self-service checkout terminals includes the step of operating said second supervisor terminal so as to assist a second group of customers respectively operating said second group of self-service checkout terminals during said first period of time. / entire claim: refer to reasoning under claim 2

As per claim 9,

The method of claim 8, wherein: said step of operating said first supervisor terminal so as to monitor operation of said second group of self-service checkout terminals includes the step of operating said first supervisor terminal so as to assist a

third group of customers respectively operating said second group of self-service checkout terminals during said second period of time, and said step of operating said second supervisor terminal so as to monitor operation of said first group of self-service checkout terminals includes the step of operating said second supervisor terminal so as to assist a fourth group of customers respectively operating said first group of self-service checkout terminals during said second period of time. / entire claim: refer to reasoning under claim 2

As per claim 10,

The method of claim 7, wherein: said step of operating said first supervisor terminal so as to monitor operation of said first group of self-service checkout terminals includes the step of operating said first supervisor terminal so as to provide security to said first group of self-service checkout terminals during said first period of time, and said step of operating said second supervisor terminal so as to monitor operation of said second group of self-service checkout terminals includes the step of operating said second supervisor terminal so as to provide security to said second group of self-service checkout terminals during said first period of time. / entire claim: refer to reasoning under claim 1

As per claim 11,

The method of claim 10, wherein: said step of operating said first supervisor terminal so as to monitor operation of said second group of self-service checkout terminals includes the step of operating said first supervisor terminal so as to provide security to said second group of self-service checkout terminals during said second

period of time, and said step of operating said second supervisor terminal so as to monitor operation of said first group of self-service checkout terminals includes the step of operating said second supervisor terminal so as to provide security to said first group of self-service checkout terminals during said second period of time. / entire claim: refer to reasoning under claim 1

As per claim 12,

The method of claim 7,further comprising the step of operating a third remote supervisor terminal s o as to monitor operation of both said first group of self-service checkout terminals and said second group of self-service checkout terminals during a third period of time. / entire claim: refer to reasoning under claim 1

As per claim 13,

A self-service retail system, comprising: a plurality of self-service checkout terminals for allowing a plurality of customers to checkout items for purchase; a first remote supervisor terminal electrically coupled via audio, video and data connection to each of said plurality of self-service checkout terminals so as to enable a store employee located at said first remote supervisor terminal to communicate with customers respectively located at each of said plurality of selfservice checkout terminals via said audio, video, and data connection; and a second remote supervisor terminal electrically coupled via audio, video and data connection to each of said plurality of self-service checkout terminals so as to enable a store employee located at said second remote supervisor terminal to communicate with customers respectively located at each of said plurality of self-service checkout terminals via said audio, video, and data

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connection, wherein (i) said first remote supervisor terminal is configured to monitor operation of each of said plurality of self-service checkout terminals during a first period of time, (ii)said second remote supervisor terminal is maintained in an idle mode of operation during said first period of time, (iii) said first remote supervisor terminal is further configured to monitor operation of a first group of said plurality of self-service checkout terminals during a second period of time, (iv) said second remote supervisor terminal is further configured to monitor operation a second group of said plurality of self-service checkout terminals during said second period of time e, and (v) said first group of said plurality of self service checkout terminals is different from said second group of said plurality of self-service checkout terminals. / entire claim: refer to reasoning under claim 1

As per claim 14,

The self-service retail system of claim 13, wherein said first remote supervisor terminal is further configured to assist each of said plurality of customers during said first period of time. / entire claim: refer to reasoning under claim 2

As per claim 15,

The self-service retail system of claim 13, wherein: said first remote supervisor terminal is further configured to assist a first group of said plurality of customers during said second period of time e, and said second remote supervisor terminal is further configured to assist a second group of said plurality of customers during said second period of time. / entire claim: refer to reasoning under claim 2

As per claim 16,

The self-service retail system of claim 13, wherein said first remote supervisor terminal is further configured to provide security to each of said plurality of self-service checkout terminals during said first period of time. / entire claim: refer to reasoning under claim 2

As per claim 17,

The self-service retail system of claim 13, wherein: said first remote supervisor terminal is further configured to provide security to said first group of said plurality of self-service checkout terminals during said second period of time, and said second remote supervisor terminal is further configured to provide security to said second group of said plurality of self-service checkout terminals during said second period of time. / entire claim: refer to reasoning under claim 2

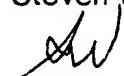
This action is NON-FINAL. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven R. Wasylchak whose telephone number is (703) 308-2848. The examiner can normally be reached on Monday-Thursday from 7:00 a.m. to 6:00 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin, can be reached at (703) 308-1065. The fax number for Art Unit 2164 is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

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Steven Wasylchak



12/30/01



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